

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 11th SEPTEMBER 2024

COMMUNICATIONS BY THE PRESIDING OFFICER.....	3
1.1 Welcome to Deputy Viscount.....	3
PUBLIC BUSINESS.....	3
2. Draft Financial Services (Disclosure and Provision of Information) (Jersey) Amendment Law 202- (P. 49/2024)	3
2.1 Deputy M.E. Millar of St. John, St. Lawrence and Trinity (Assistant Chief Minister - <i>rapporteur</i>):.....	3
2.1.1 Deputy P.F.C. Ozouf of St. Saviour:	5
2.1.2 Deputy M. Tadier of St. Brelade:.....	5
2.1.3 Deputy P.M. Bailhache of St. Clement:.....	6
2.1.4 Deputy M.R. Scott of St. Brelade:	6
2.1.5 Deputy M.E. Millar:.....	7
2.2 Deputy M. E. Millar:.....	10
2.2.1 Deputy P.F.C. Ozouf of St. Saviour:	10
M. Jowitt, K.C., H.M. Solicitor General:	11
2.2.2 Deputy M. Tadier of St. Brelade:.....	11
2.2.3 Deputy M.E. Millar:.....	11
The Solicitor General:	11
2.3 Deputy E. Millar:	12
2.3.1 Deputy M. Tadier:.....	12
2.3.2 Deputy M.R. Scott:	13
2.3.3 Deputy P.F.C. Ozouf of St. Saviour:	13
2.3.4 Deputy M.E. Millar:.....	13
3. Comptroller and Auditor General Board of Governance: Appointment of Member (P.50/2024)	14
3.1 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):	15
3.1.1 Deputy I. Gardiner of St. Helier North:	15
3.1.2 Deputy L.J. Farnham:	15
4. Jersey Police Complaints Authority - Appointment of Chair and Member (P.52/2024) 	15
4.1 Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):.....	16
4.1.1 Deputy C.D. Curtis of St. Helier Central:	16
4.1.2 Deputy K.F. Morel of St. John, St. Lawrence and Trinity:.....	17
4.1.3 Deputy M.R. Le Hegarat:.....	17

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS.....	17
5. Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee):	17
5.1 Deputy P.F.C. Ozouf of St. Saviour:	18
5.1.1 Deputy R.J. Ward of St. Helier Central:	18
5.1.2 Deputy M. Tadier of St. Brelade:.....	18
5.1.3 Deputy B. Ward of St. Clement:.....	19
5.1.4 Deputy K.F. Morel of St. John, St. Lawrence and Trinity:.....	19
5.1.5 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:	19
5.1.6 Deputy A. Howell:	19
5.1.7 Deputy M.R. Scott of St. Brelade:	20
5.1.8 Deputy P.M. Bailhache of St. Clement:.....	20
5.1.9 The Connétable of St. Martin:	20
5.2 The Connétable of St. Martin:	20
5.2.1 Deputy P.F.C. Ozouf:.....	21
ADJOURNMENT.....	21

[9:30]

The Roll was called and the Greffier of the States led the Assembly in Prayer.

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

1.1 Welcome to Deputy Viscount

Before we continue with Public Business, Members may have noticed a new face within the Chamber in the form of a new Deputy Viscount. That is in the person of Advocate Matthew Berry, who formerly was with the Law Officers' Department as a Senior Legal Adviser, and has now moved into the Viscount's Department and took the oath of office of Deputy Viscount. I am sure Members would wish to welcome him in the traditional way. **[Approbation]** He will now slip away unobtrusively at some point. **[Laughter]**

PUBLIC BUSINESS

2. Draft Financial Services (Disclosure and Provision of Information) (Jersey) Amendment Law 202- (P. 49/2024)

The Bailiff:

We will continue with Public Business. The next item is the Draft Financial Services (Disclosure and Provision of Information) (Jersey) Amendment Law, P.49, lodged by the Minister for External Relations. The main respondent is the Chair of the Economic and International Affairs Scrutiny Panel and I ask the Greffier to read the citation.

The Greffier of the States:

Draft Financial Services (Disclosure and Provision of Information) (Jersey) Amendment Law 202-. A law to allow the Commission to disclose beneficial owner information to assist financial services businesses with customer due diligence obligations under the Money Laundering (Jersey) Order 2008. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law.

The Bailiff:

Deputy Millar, I believe you are *rapporteur* in this matter?

2.1 Deputy M.E. Millar of St. John, St. Lawrence and Trinity (Assistant Chief Minister - *rapporteur*):

Yes, Sir. Thank you. Jersey has always taken its responsibilities regarding combating financial crime seriously and is rightfully proud of its globally recognised regime. The recent publication of the MONEYVAL report was a significant milestone for Jersey as an international finance centre, and while there are a few areas for further improvement, the report provides an independent acknowledgement of the effective framework that Jersey has developed. As Members will be aware, the report confirms that Jersey has one of the world's top-rated regimes for preventing financial crime and that we are ranked as a leading international finance centre. One of Jersey's particular strengths, as highlighted in the report to this proposition, is our approach to company transparency and its effectiveness. Jersey has a longstanding Companies Registry, which was established in 1989, and is operated by the Jersey Financial Services Commission. It has a track record of not only meeting international standards but leading in them. The recent MONEYVAL assessment identified that Jersey has a wide range of mitigation measures to address transparency of the beneficial ownership of companies, in particular a fully-populated register with thorough checks, risk assessment, verification and registry supervision. In accordance with the international standards set by the

Financial Action Task Force, the global watchdog on financial crime, Jersey has effective mechanisms for disclosing registry information with law enforcement and tax authorities in Jersey, the U.K. (United Kingdom), Europe and, indeed, across the world. Our longstanding approach has been to provide access to this information to those bodies who are directly involved in combating financial crime. Recent international policy discourse, however, has considered a disclosure of this information with other parties for the purposes of preventing money laundering and terrorist financing. The Financial Action Task Force, in its updated guidance on beneficial ownership, which was published in March 2023, recommended that countries consider facilitating access to persons who are obliged to perform customer due diligence, known as obliged entities, to support them in this process. This includes banks and other financial services businesses. The solution proposed through the proposition will ensure that Jersey complies with this best practice and will enable the Jersey Financial Services Commission to disclose information to obliged entities for the purposes of supporting the performance of customer due diligence. This will benefit not only those who need to complete due diligence process but also their customers and clients. Jersey is committed to delivering further appropriate transparency to beneficial ownership information as part of its continued commitment to fighting financial crime. This was confirmed in our 2023 joint commitment with Guernsey and the Isle of Man. Members may be aware that work is ongoing to develop a policy for access for those with a so-called legitimate interest. At present, we are consulting with other stakeholders as well as monitoring developments in other jurisdictions, in particular member states of the European Union. That work will consider how countries worldwide are defining legitimate interest and how access can be provided while still respecting data protection, privacy and human rights issues, which remain of critical importance. This, however, is a debate for another day, as this proposition is limited only to providing access to obliged entities. Today's proposition has been subject to significant stakeholder engagement in recent years, with formal consultations performed in October 2022 and in May this year. That has assisted the shaping of the proposed draft amendment law to ensure that beneficial information is accessed only by the right people, is used only for relevant purposes, and is disclosable in accordance with existing practices for customer due diligence. The proposition before you is to amend the Financial Services (Disclosure and Provision of Information) (Jersey) Law 2020, which currently provides for the maintenance of the register and disclosure to competent authorities. Parallel to the development of the proposed amendment law, the Jersey Financial Services Commission has been developing the necessary system changes to bring this proposition into effect prior to the end of the year. The reasons for the amendment to the law are set out in the report attached to page 49, which I will summarise shortly. In brief, it will permit the F.S.C. (Financial Services Commission) to provide access to beneficial ownership information to obliged entities for the purposes of meeting their customer due diligence obligations under the Money Laundering (Jersey) Order 2008. So, to the specific amendment in this proposition, in brief, the proposition permits the disclosure of beneficial ownership information collected under the Financial Services (Disclosure and Provision of Information) (Jersey) Law 2020 to relevant persons, as defined in the Money Laundering Order, and their representatives. It limits the use of this information to assisting relevant persons in meeting their customer due diligence obligations under the Money Laundering Order. It prohibits the misuse or unlawful disclosure of information and provides offences for failure to comply. It permits the F.S.C. to require a person who requests or has requested information under the proposed provisions to provide evidence that supports the purpose for which the request was made. It also establishes an offence for failure to comply with such a request. Finally, the proposition makes minor corrections to existing articles within the Financial Services (Disclosure and Provision of Information) (Jersey) Law. I move the principles.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles?

[9:45]

2.1.1 Deputy P.F.C. Ozouf of St. Saviour:

I was waiting for whether or not a member of the Scrutiny Panel who have obviously given careful and detailed consideration to this matter. Members will be aware that beneficial ownership is something that has been the subject of numerous debates in this Assembly, and also debates and questions from outwith this Assembly, not least of which in the previous Government in the United Kingdom questions about whether or not the beneficial information should go further. That is not a debate for today, as the Assistant Minister has made clear. I absolutely support that further disclosure ability. What I would ask, if I may, the Assistant Minister is what are the arrangements? She touched upon them in her opening remarks. What are the effectively I.T. (information technology) and data arrangements that have been put in place? Has there been a cost? Are they on time? And are there any issues that she wishes to draw to the Assembly? Because of course we are aware of the sensitivity of that beneficial ownership information. I always have had a very high regard for the J.F.S.C. (Jersey Financial Services Commission) and the way in which they deal with issues that we touched on yesterday about the increasing reality of cyber-attacks. I am well aware that the J.F.S.C. has been the subject of particular increases in cyber-attacks in an attempt to get that data and I thought it might be helpful if the Minister, in light of the enormous sensitivity of the information contained within it, whether or not she has had or the Minister has had discussions with the J.F.S.C. to ensure that every possible protection is in place and that the J.F.S.C. has all the resources and has effectively said: "Yes, this is fine", because effectively what I am imagining is that this is going to be an online access with appropriate controls to see who has seen what, et cetera. A bit like police records, I imagine this is to be the case where basically there is an audit trail of who has accessed what information and when, and so therefore there can be oversight as to the accessibility, which will be of assurance to those huge numbers of individuals both within the Island and outside whose data is held extraordinarily diligently and fully and in a greater level of detail because it is better verified than any other place in the world, which is something this Assembly should be rightly proud because it is one of being a cornerstone of our position in financial services and has stood us well and continues to stand us well despite other places doing things rather differently, not least of which the European Union, who was found to be wanting against the European Court of Human Rights. I will leave it there. I hope the Minister can assist us on the technicalities of how this will be done, because the weather is clear, and I absolutely support it.

2.1.2 Deputy M. Tadier of St. Brelade:

I will not disappoint Deputy Ozouf. I was in fact waiting for him to speak first before I gave my comments. Sorry to Members that I cannot be there in person, but I am here otherwise. I am going to start by reading the conclusion that our panel has put in the comments paper. Again, I hope Members have had a chance to read the paper, but it is there if they want to still. The panel understands that the draft law will allow for greater access to beneficial ownership information, enabling persons who are obliged to perform customer due diligence to carry out this function. We also agree that this is a sensible provision in aiding safeguards against financial crime and money laundering, and we understand that there are precautions in place to mitigate the misuse of access to the Jersey Financial Services Commission registry. I think this is important, just as an aside, given the breach that we had in Jersey recently that we are all aware of. I think that can only be a good thing to add to the security around that. We go on to say that further consideration for proposals of access of beneficial ownership information is anticipated in regards to legitimate interest access, while recommendations regarding combating financial crime continue to develop. The panel has highlighted that further engagement with the U.K., the E.U. (European Union) and other jurisdictions will be necessary. Noting the consultation that has been undertaken and the Government's response to the suggestions made through the process, the panel notes that there are competing international pressures on the Government of Jersey when it comes to registers of beneficial ownership. The panel believes that this proposition represents an attempt by the Minister to balance privacy and human rights on the one hand, and a wider call for transparency internationally on the other. Just to add to

the comments of the panel, I think one of the areas of information that we did ask for in the conversations we had with the relevant officers at the department were for considerations around whistleblowing and, in fact, to make sure that there was consideration of whistleblowing activity, and that would be covered. We received a response effectively saying that there are provisions currently under what is being proposed here, but there will be further considerations in that area. We can give more detail in due course, but we do not have any major concerns in that area. I am going to continue, I suppose, in a kind of segue between the panel's comments in that very final paragraph and maybe some personal comments, without necessarily having my Scrutiny hat on. I noted the Minister's comments and the previous speaker's comments, the talk about further potential access to the register. Interesting choice of word by the Minister was by "so-called legitimate interest groups", or just legitimate interest. There is clearly a divergence in views internationally and with Jersey in terms of what is being asked for. Some Members and some in the business community will be very aware that there was a debate in the U.K. Parliament only in December 2023, not just about beneficial ownership but specifically about Crown Dependencies and beneficial ownership transparency. While the 2 Members who have spoken have said that this is not a debate for today, I would probably slightly disagree in the sense that we might not be passing any additional access to the register that others may be seeking or have talked about, but I think it is very much something that the panel, the Government and the Assembly need to be aware of and should also be not shying away from talking about it today, because we do need to think about not just what the current state of affairs is for this register and for Jersey being a good and leading international player, but what that might mean in the short term and in the near future. I frame those comments just to look at perhaps one of the statements that was made by the former Minister for Security, Tom Tugendhat, in his speech on 19th December in Parliament in the U.K., when he said that: "I welcome the Crown Dependencies' press release, stating their commitment to developing and delivering legitimate interest access to the beneficial ownership registers. Confirming the access to the information of their registers 'will be extended to include those media and civil society organisations who can demonstrate a legitimate interest in accessing relevant information in order to combat financial crime'." He said that he looked forward to seeing that commitment being adopted by the appropriate Crown Dependencies' Parliaments. I know that it is also a fast-changing area. I also know that there has been a ruling from the E.U. about compatibility with right-to-life client confidentiality. I would like to hear, I think, from the Minister in that regard, when she sums up. Insofar as the Scrutiny Panel has looked at this, we are happy to support this proposition today, noting that it is something that we, I think certainly as a panel but more widely as Members, will need to give consideration to in the next months and years, as the situation potentially develops.

2.1.3 Deputy P.M. Bailhache of St. Clement:

I would just like to add to the remarks of the Chairman of the Scrutiny Panel by adding my compliments to the Government for its willingness to resist quite considerable pressure from other places to change our law and to make our register of beneficial ownership open to the public. We are an international business centre and the importance of confidentiality to those who do business in the Island should not be underestimated. Sometimes that right of confidentiality has to yield to other interests and, as Deputy Tadier has just said, there is a big debate as to who might have legitimate interests to override the confidentiality of those who rely upon the integrity of Jersey as a business centre. The key to this, it seems to me, is that we should comply with international standards. It is international standards and not the standards of the United Kingdom Parliament or the United Kingdom Government that are the crucial factor so far as Jersey is concerned. It seems to me that the Government are pursuing that course. I compliment them on that decision and I encourage them to remain firm in the face of quite improper pressure, as a matter of fact, from some individuals in another place and ensure the integrity of our own business centre and also the integrity of Jersey's autonomy. [Approbation]

2.1.4 Deputy M.R. Scott of St. Brelade:

I am following on from the comments of Deputy Tadier and of Deputy Bailhache and I am referring to my experience as a former Chair of the Economic and International Affairs Panel too. I would dispute with Deputy Tadier that there has been so much as divergence of views between Jersey and the European community of which he speaks. There has been more of a convergence of views. In this respect, as has been mentioned, Jersey has had to expand its grounds in terms of explaining why there are legitimate reasons why people may wish to keep their affairs private. With the approach that we have had in the past in terms of that the small jurisdictions are covering things up, we have been easy targets. It is important to address abuse but at the same time there is only so far that you can take transparency. In this respect, I invite Deputy Tadier to think about whether he would like to live in a transparent house so that the community can check there is not any domestic abuse happening. That is how far you could take it. I very much urge the States Assembly to support this proposition.

[10:00]

I very much commend the Government for the leadership that they have taken in terms of holding their ground in terms of ensuring that there is this balance between what I would say is good practice in terms of transparency but also respecting the rights and needs of businesses and individuals to keep information confidential and to protect themselves from abuse potentially. I thought the panel's comments about protection for whistle blowing were interesting. I would be interested to see quite how they see that fits into the picture and who they are proposing to be protecting. In my mind, what has been presented here is not too different from almost what we have got in terms of subject access requests and enabling access to information that is held on specific individuals themselves, although I am sure the Assistant Minister may well expand on this more when she is summing up. I urge the States Assembly to support this proposition and thank government officers for their hard work in achieving what I think is a very good result so far.

The Bailiff:

Does any other Member wish to speak on the principles? If no other Member wishes to speak on the principles, I close the debate and call upon Deputy Millar to respond.

2.1.5 Deputy M.E. Millar:

Firstly, I would like to thank all Members who have spoken. I think certainly my sense is of overwhelming support, subject to a few comments and questions. Firstly, I would agree with Deputy Ozouf that our register is indeed of a very high quality and we should be very proud of the efforts of the F.S.C. in ensuring that it is of the quality it is. I am not going to draw comparisons with the U.K. company registers but I think they are very different in terms of the reliability and accuracy of the information that is held regarding beneficial ownership. The reliability of that information held in Jersey is perhaps one of the reasons why opening its availability to people who do have to do customer diligence is going to be so beneficial to everyone who is involved in that process, including anybody who is involved in companies and seeking financial services or other services where customer due diligence is relevant. Deputy Ozouf's questions about the arrangements regarding I.T. and data I am afraid I cannot answer in detail because those are matters for the F.S.C. I believe the F.S.C. has been working very hard on establishing the appropriate systems and making sure that they are secure, and that information will only be given to appropriate people. I am sure it will be keeping appropriate audit trails. I would expect in very many cases the people who are requesting the information will already be registered persons with the F.S.C. I cannot confirm that, of course, and I also cannot confirm the cost, but I think in terms of system development costs it will pay dividends in terms of the assistance it gives to businesses in the Island and to customers who have to do customer due diligence. The F.S.C., as the Deputy said, has had a couple of difficult incidents this year as regards I.T. issues. It is dealing with those very carefully and consistently and has shut down any potential unauthorised access, but it will be working on that very, very carefully, I have absolutely

no doubt. Again, I thank the panel for their support. Deputy Tadier raised a particular question, which was whistle blowing. I can confirm that nothing in this law will prevent a person whistle blowing. If a relevant person, as described in the law, wishes to make a confidential report without following the usual route, which would be to submit a suspicious activity report, they may wish not to do that for fear of reprisals from an employer perhaps, although you would hope that is not the case. A relevant person can make a confidential report directly to a police officer, customs officer or the Financial Intelligence Unit, and they will receive the legal protections currently set out in Article 32 of the Proceeds of Crime (Jersey) Law 1999. So, I do not believe that these changes create any issues as regards people who feel there is something on which they need to whistle blow. I have to say I am afraid I do not agree with Deputy Tadier that the question of legitimate interest is not ... it is not a debate for today. We do not have legitimate interest on the table at the moment. It is a complex subject and there is considerable divergence in views. There is a divergence in views between us and the U.K. and there are very wide views internationally as to what legitimate interest is. I am stretching my memory here. Legitimate interest has been stated as including media. So, what does media involve? Does that include accredited media; does it include citizen media; does it include the blogosphere? We need to be sure that people accessing this information are people who genuinely have a legitimate interest to do so. Accredited media may well form part of that as thinking develops internationally but I do not think we are yet at that stage. Civil society organisations, N.G.O.s (non-governmental organisations) ... we do need to be careful that people accessing information that is of considerable value and possible sensitivity are doing so for lawful and legitimate purposes. We are doing in Jersey what we have done historically, which is that we are looking at and monitoring how that thinking develops internationally. Once that thinking has developed and once other people have ... once standards have evolved and been established, we will then adopt those in a fairly timely fashion, which is what we do with everything else. It is not an area where we want to be a market leader because that is something that could be potentially prejudicial to our industry. Legitimate interest will come back before the Assembly in due course. We are monitoring European developments in particular. That is a major bloc, particularly things like the Sixth Anti-Money Laundering Directive in the E.U. We will watch those developments and we will respond to them in a timely fashion that suits Jersey, but that will absolutely come before the Assembly at a later date. I agree with Deputy Tadier, as I mentioned in my speech, that human rights is of critical importance here, the right to privacy and data protection rights. We are satisfied on the basis of advice we have received that there is not a human rights issue with this current proposal. I do not believe it is in breach of any human rights aspect, what is before us today. Lastly, I would like to thank Deputy Scott for her support and also Deputy Bailhache. I would particularly like to thank him for his comments and for his support. I absolutely agree, as I have just said, with his comments about the need for caution in terms of when, in what circumstances and by whom this very sensitive confidential information may be used. Beneficial ownership is confidential. Would we all want the world and his dog to see our bank accounts? Possibly not. Some of us may not care but some people will care. I certainly do confirm that we will continue to take a very firm line about Jersey's constitutional position in this debate and that we will continue to do what is right for Jersey in terms of our economic standing, our international standing and our constitutional standing. So, I assure him that we are very cognisant of those issues. I think that concludes my remarks.

The Bailiff:

Deputy Tadier has indicated he would wish a point of clarification. Deputy, what is your point of clarification?

Deputy M. Tadier:

I did ask about the direction of travel, and I raised the issue by quoting from the U.K. Parliament, which was reading a press release from the Crown Dependencies. That press release said that the information in our registers will be extended to include those media and civil society organisations

who can demonstrate a legitimate interest in accessing relevant information in order to combat financial crime. My question is: is that still the position that Jersey holds? I think it is relevant to this debate and it will certainly be relevant to the direction of travel in looking at this and maybe in deciding how to vote. So that is the question I had asked. I do not think it has been answered directly.

The Bailiff:

Are you able to clarify that?

Deputy M.E. Millar:

Yes. Sorry, I would have said that I had answered that question. We are continuing to work on that. As I said, we are working on looking at international standards. I do have some notes on this. The provision of access to persons beyond obliged entities and law enforcement and tax authorities is subject to continued discussion with international standard setters and jurisdictions around the world. The human rights case law that the Deputy has mentioned has highlighted the importance of delivering a policy that is not disproportionate with interference in individual rights and pursuit of prevention of money laundering and terrorist financing. That is not a simple matter, as I have discussed, but we are observing that commitment. We made that commitment, and we are continuing to develop that policy. Development is ongoing. We are engaging the stakeholders as well as monitoring the planned implementation of the Sixth Anti-Money Laundering Directive. I would suggest that the European Union remains probably the biggest source to look at for guidance in terms of how this is going to develop. I can confirm to the Deputy that we are not reneging on any commitments. We have made that commitment. It is important to us as an international finance centre that we continue to develop that but we will do so in a timely fashion in line with other jurisdictions. I think our own press release - and I do not have that in front of me - talked about making those developments within an appropriate timescale and that appropriate timescale will be one that reflects what other people are doing, how thinking is developing internationally. I would also just say Parliament in the U.K. has changed dramatically since December and the debate that the Deputy referenced but that has not affected our commitment. We are continuing work because it is the right thing to do and we are doing it in line with the rest of the world, possibly not in line with the U.K.'s timetable but we are doing it in line with everybody else. I hope that helps.

The Bailiff:

Do you call for the *appel*?

Deputy E. Millar:

Yes, please, Sir.

The Bailiff:

The *appel* is called for. I invite Members to return to their seats. The vote is on the principles of P.49. I ask the Greffier to open the voting and Members to vote.

POUR: 44		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				

Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner (H)				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

The Bailiff:

Deputy Tadier, I am assuming from what has been said that your panel is not calling the matter in?

Deputy M. Tadier (Chair, Economic and International Affairs Scrutiny Committee):

Correct, Sir.

The Bailiff:

Very well. How do you wish to deal with the matter in Second Reading?

2.2 Deputy M. E. Millar:

En bloc if I may, Sir, please.

The Bailiff:

They have been proposed *en bloc*. Are they seconded? **[Seconded]** Does any Member wish to speak in Second Reading?

2.2.1 Deputy P.F.C. Ozouf of St. Saviour:

May I seek clarification from the Minister about the issue, which I must admit I do not know, the ability for ... my computer is not working. I am trying to get the legislation before me, the Articles

that deal with the definition of who the individuals or the entities that can get that information from. Are we to assume that they are largely going to be regulated entities within Jersey and are there any provisions for non-entities that are going to be allowed to have the access to the information who are not resident in Jersey and not regulated by the J.F.S.C.? If it is the case that there is an off-Island ability for entities to do it ... and I am just looking at the Solicitor General and saying if it is no, then I do not need to pursue the line of questioning. Can I just ask for legal advice about whether or not it is only on Island?

[10:15]

M. Jowitt, K.C., H.M. Solicitor General:

Relevant persons are financial service providers in Jersey, so it does not have an extraterritorial reach.

Deputy P.F.C. Ozouf:

Then that is fine. I will take my questions about how that is going to conform with international standards where obliged entities are in a different jurisdiction ... that may well be something that is coming but I will leave that at the moment. If it is just Jersey at the moment, I can see that all the controls would be in place.

The Bailiff:

Does any other Member wish to speak in Second Reading?

2.2.2 Deputy M. Tadier of St. Brelade:

I think that something needs to be drawn to the attention ... and it would be helpful if the Minister could speak to it in the summing up. I could have raised it, I suppose, in the principles but it does form part of the Articles, which is the change to civil offences from criminal offences in terms of breaches under the law. Of course, I note that there are comments from the Law Officers saying that there are no human rights infringements of this but there are human rights implications of changing certain offences from criminal to civil offences, ultimately I think to make them streamlined and perhaps more efficient for the purposes. While the panel does not ultimately have a problem with the changes, I think we need to flag this up as a significant change that is happening, and it would be helpful if the Minister could speak to that. I would be straying into speaking outside of the Articles, I think, if I were to try to respond to comments that might be best left for the Third Reading. I will limit my comments to what I have said so far as this point.

The Bailiff:

Does any other Member wish to speak on the Articles in Second Reading? If no other Member wishes to speak, I close the debate and call upon Deputy Millar to respond.

2.2.3 Deputy M.E. Millar:

I think Deputy Ozouf's question has been answered, so that is fine. I am afraid I think Deputy Tadier's point is a rather technical legal point. I am not quite sure about the difference between civil and criminal penalties. I think civil penalties, my understanding, can be applied directly by the J.F.S.C. rather than by coming to court. I do not know if I may ask the Solicitor General to comment, please.

The Bailiff:

By all means if you would like to.

The Solicitor General:

The Commission has a range of civil penalties that it can apply. That is distinct from criminal sanctions, which lie in the power of the Attorney General to pursue.

Deputy M.E. Millar:

I think the concept of civil penalties here is not novel. As the Solicitor General said, they exist elsewhere in financial services legislation and I think in other legislation.

The Bailiff:

Very well. So, you maintain the proposition?

Deputy E. Millar:

I maintain the proposition, yes, please, Sir.

The Bailiff:

Those in favour of adopting in Second Reading kindly show. Those against? It is adopted in Second Reading. Do you move in Third Reading?

2.3 Deputy E. Millar:

Yes, please, Sir.

The Bailiff:

Is it seconded for Third Reading? **[Seconded]** Does anyone wish to speak in Third Reading?

2.3.1 Deputy M. Tadier:

The Third Reading, of course, is to look at what is in the law as it is being passed and maybe even what is not in the law and the direction of travel. I found the comments of Deputy Scott not just colourful but slightly bizarre when she used the analogy of would I want to live in a house that was completely transparent because it would make it more difficult for me to beat my wife, effectively. First of all, I think that analogy is entirely inappropriate, for perhaps obvious reasons, but similarly if there is an analogy to be made it is that domestic violence in all its forms is not a good thing. Therefore, if having a house with windows stops somebody potentially being beaten or brings to justice somebody who has beaten their partner, then my sympathy would be with the victim and not with the perpetrator. So, I think if the analogy here is that we should encourage people to keep their windows and their curtains drawn while they are beating their partners, that is a very perverse thing to say from the Deputy. What I would say is that our panel and I were questioning legitimately a press release that has been put forward, which is contained within our comments and report and which we did question officers about. The point to be made is that it is not our comments but the Crown Dependencies, including Jersey, put out a statement saying that they were pursuing and that they would extend beneficial ownership access of registers - if you excuse the syntax there - to a wider group of people if they could prove the legitimate interest. It is incumbent on our panel to highlight that piece of work that is going on and to hold Government to account irrespective of what the politics of that might be, because that is a statement that the Government have made and our job is to make sure that we hold the Government to account for the policies that they have made. If the policy has changed ...

The Bailiff:

Deputy, if I may just interrupt to make a point. You yourself have said earlier that the purpose of Third Reading is to discuss purely whether the law or regulation in the form adopted in Second Reading should be passed into Third Reading or not. It is not to make more general political points relating to directions of travel about matters that are not currently before the Assembly. With that caveat, please do continue.

Deputy M. Tadier:

I think the culmination of my points in the Third Reading would be to say that this is very much a snapshot. I think the legislation we have before us in the Third Reading deals with the critical issues

that we have identified urgently and that we are willing to support them. As a panel and as an individual Member of the Assembly, it is an area that we know will need to be continually looked at to make sure that the legislation is both fit for purpose and that we as an Island and Government and an Assembly are at the forefront of leading on this.

Deputy M.R. Scott of St. Brelade:

I hope the Chair of the Economic and International Affairs Panel is cognisant that domestic abuse can occur both ways.

The Bailiff:

Can I respectfully suggest, Members, that we should not be talking about domestic abuse in the context of a financial services debate and we should be purely restricting ourselves to do we pass this amendment law?

2.3.2 Deputy M.R. Scott:

I do believe the panel has scrutinised this matter and the debate itself was not really the place for it, so I again support this proposition.

2.3.3 Deputy P.F.C. Ozouf of St. Saviour:

I would like to address the direct issues that we are bringing into place a law and that it is this Assembly that makes decisions, as Deputy Bailhache said, about accessing information on our public registry. I say that because it is this Assembly that makes the decisions and some people outside of this Assembly in other places, and I am thinking particularly within the U.K. Parliament, believe that this Assembly sometimes does not exist. When I became Minister for External Relations in July 2022 I was faced with an existing commitment that had been made, which had not come before this Assembly as far as I could tell, that there was a commitment made to move towards public registers of beneficial ownership. I was rather surprised. There had been no debate in this Assembly. It is only this Assembly that can decide and long may that importance of this Assembly being the only entity, not a Minister by Ministerial Order ... it would be appropriate for a Minister not to promise something that the States might not agree with. I just wish to reinforce the fact that in the Third Reading we have got an appropriate access, which has been carefully thought about, which is in line with international standards, and that is as far as this Assembly is going today and no more. There have been no amendments that the Minister has had to deal with. There have been no other matters and it is this Assembly - and this is a message to parliamentarians in the United Kingdom - that decides who accesses our information and not Members of the U.K. Parliament.

The Bailiff:

Does any other Member wish to speak in Third Reading? If no other Member wishes to speak in Third Reading, I close the debate and call upon Deputy Millar to respond.

2.3.4 Deputy M.E. Millar:

I do not think I have anything further to say other than there are only so many times I can say we are not renegeing on any commitment and we will be working towards legitimate interests in due course. I maintain the proposition. Thank you.

The Bailiff:

Those in favour of adopting ... the *appel* is called for. I invite Members not in the Assembly to return to their seats. The vote is on the adoption of the law in Third Reading. I ask the Greffier to open the voting and Members to vote.

POUR:		CONTRE:		ABSTAIN:
Connétable of St. Helier				

Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner (H)				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

3. Comptroller and Auditor General Board of Governance: Appointment of Member (P.50/2024)

The Bailiff:

The next item of Public Business is the Comptroller and Auditor General Board of Governance: Appointment of Member, P.50, lodged by the Chief Minister. The main respondent is the chair of the Corporate Services Scrutiny Panel and I ask the Greffier to read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion in accordance with Article 2(2) of the Comptroller and Auditor General (Board of Governance) (Jersey) Order 2015, to approve the recommendation of the Chief Minister and the Chair of the Public Accounts Committee to reappoint, from the end of his current term of office on 25th March 2025, Mr. Robert Tinlin M.B.E., as an independent member of the Board of Governance of the Office of the Comptroller and Auditor General, for a term of 5 years.

3.1 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

In June of this year the C. and A.G. (Comptroller and Auditor General) Board of Governance requested that an existing independent member of the board be reappointed for a second term of office. The C. and A.G. Board of Governance is established to keep under review whether the Comptroller and Auditor General has used and is using the resources provided to their office properly, efficiently and effectively. This is an important scrutinising function providing assurance to the Assembly and to the public that the Jersey Audit Office continues to be run effectively. The board is composed of high-calibre members and the board's running costs are low. Board members are providing their time without a remuneration and both the Chair of the Public Accounts Committee and I are grateful to all the board members for their work. I am sure the Assembly will join us in recognising the effective role that they continue to undertake. The proposed reappointment of Mr. Robert Tinlin for a second 5-year term has the support of the Chair of the board, the Chair of the Jersey Appointments Commission, as well as the Comptroller and Auditor General and the Chair of the Public Accounts Committee. Mr. Tinlin's credentials are duly listed in the accompanying report. If approved, Mr. Tinlin will serve another term of 5 years following the end of his current term of office on 25th March 2025 and I am pleased to commend the appointment to the Assembly.

The Bailiff:

Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the proposition?

3.1.1 Deputy I. Gardiner of St. Helier North:

Very shortly, I would like to thank the Chief Minister for doing the work with the C. and A.G. and the Board of Governance. We are also now going to the new recruitment for the Chair and another member of the Board of Governance.

[10:30]

On this occasion I also would like to thank the members of the Board of Governance. Most of them are unpaid, it is a voluntary position, and they are contributing their time and knowledge to us.

The Bailiff:

Does any other Member wish to speak on the proposition? If no other Member wishes to speak, I close the debate and call upon the Chief Minister to respond.

3.1.2 Deputy L.J. Farnham:

May I thank the Chair of the Public Accounts Committee in return for her co-operation and being able to jointly agree to extend the appointment.

The Bailiff:

Those in favour of adopting the appointment, kindly show. Those against? The proposition is adopted.

4. Jersey Police Complaints Authority - Appointment of Chair and Member (P.52/2024)

The Bailiff:

The final item of Public Business is the Jersey Police Complaints Authority - Appointment of Chair and Member, P.52, lodged by the Minister for Justice and Home Affairs. The main responder is the chair of the Children, Education and Home Affairs Scrutiny Panel and I ask the Greffier to read that proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion in accordance with Article 2 of, and the Schedule to, the Police (Complaints and Discipline) (Jersey) Law 1999, to appoint Mr. Chris Stephenson as Chair of the Jersey Police Complaints Authority, and Mr. Simon Burgess as a member of the authority, each for a period of 3 years commencing immediately.

Deputy R.J. Ward of St. Helier Central:

Before we start, may I just ask whether I have a conflict of interest being on the Jersey Police Authority?

The Bailiff:

No, I do not think you do. You do not have a direct financial interest or anything like that?

Deputy R.J. Ward:

I just wonder whether it is odd to be on the Police Complaints Authority and vote for a person who may deal with police complaints. I just want to be ...

The Bailiff:

I do not think that is a conflict. Arguably, Deputy, one would be best placed to form an assessment as to how a complaint should be dealt with, so I do not think that is a conflict of interest. Thank you. Yes, Minister.

4.1 Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):

I am pleased to recommend the appointment of Chris Stephenson as Chair and Mr. Simon Burgess as a member of the Jersey Police Complaints Authority. As Members will be aware, the Jersey Police Complaints Authority supervises the investigation of complaints against the States of Jersey Police. This independent oversight is crucial to maintaining and building trust and confidence in our police force. The authority is constituted under the Police (Complaints and Discipline) (Jersey) Law 1999 and under the law must consist of a Chair and not less than 6 and no greater than 8 members. As a result of retirements from the authority, the appointment of new members, including a Chair, is required to ensure that the authority is operating within the membership levels required under the law. This also ensures that the authority has the necessary capacity to undertake its functions effectively. If these appointments are agreed by the Assembly, the authority will have 6 members in addition to the Chair. Details in relation to the professional background of both nominees is included in the report. Members will see that the nominees bring skills and experience from a range of backgrounds which will no doubt further strengthen the authority. The Chair and all the members are volunteers who give up their time to serve on the authority for no remuneration. I am deeply grateful to all of the volunteers who provide a much-valued service to our community in this way. I would also like to take this opportunity to recognise all departing members of the authority for their contributions and to pay particular tribute to the outgoing Chair, Janet Naylor, who has provided dedicated insightful leadership of the authority since her appointment in 2021. I am pleased to recommend the appointments to the Assembly; I make the proposition.

The Bailiff:

Is the proposition seconded? **[Seconded]**

4.1.1 Deputy C.D. Curtis of St. Helier Central:

The C.E.H.A. (Children, Education and Home Affairs) Panel would also like to thank the outgoing Chair and members and appreciates their work, including their detailed annual reports which have always been interesting reading. The panel did ask in a public hearing about agreed mitigations regarding the new Chair, who is also the Chair of the Jersey Appointments Commission, and any difficulties this could raise. I wonder if the Minister could explain those mitigations to the Assembly.

4.1.2 Deputy K.F. Morel of St. John, St. Lawrence and Trinity:

It is just to say from a personal perspective I have not worked with Mr. Stephenson, but Mr. Burgess I have worked with on a number of occasions, as you would in the world of politics in a variety of roles. There is no question in my mind, I would not hesitate to support him. He should be an excellent member of the panel, so I just wanted to put that on record.

The Bailiff:

Does any other Member wish to speak on the proposition? If no other Member wishes to speak, I close the debate and call upon the Minister to respond.

4.1.3 Deputy M.R. Le Hegarat:

Yes, in relation to what was mentioned by the Chair of the panel, it is as the Deputy alluded, that the Chair role is also on the Jersey Appointments Commission. It has been agreed that he would not be involved in that capacity in the appointment process for the chief of police, the deputy chief or any other senior officer. That would exclude him from those roles because that would be where there could potentially be a conflict. By stepping out of that Jersey Appointments Commission role while those appointments would be made would be the right thing to do.

The Bailiff:

Do you maintain the proposition then, Minister?

Deputy M.R. Le Hegarat:

Apologies, I make the proposition.

The Bailiff:

Those in favour of adopting the proposition, kindly show. Those against? The proposition is adopted.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Bailiff:

That concludes Public Business and we come to the arrangement of future public business. I invite the Chair of P.P.C. (Privileges and Procedures Committee) to propose the arrangements for business of future meetings.

5. Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee):

As part of the arrangements of public business I would like to propose an in-committee debate on the e-petition: Make the States old-age pensions exempt from tax. This e-petition has exceeded 5,000 signatures; in fact, it has received 5,195 signatures. I make the proposition for an in-committee debate on: Make the States old-age pensions exempt from tax.

The Bailiff:

Very well, do you have a date that you wish to ...

The Connétable of St. Martin:

It has been proposed for the first sitting in November, which is 12th November.

The Bailiff:

The proposed in-committee debate, is that seconded? [**Seconded**] Does any Member wish to speak?

5.1 Deputy P.F.C. Ozouf of St. Saviour:

In advance of that, which obviously is a matter which is going to be important and the facts about the reasons why, is the Chair of P.P.C. aware and has she agreed that the Treasury that have all the information about this will be able to provide a full report? The good officers of the Greffe may also be able to carry out some research for Members on the instances other places have where there is an issue about pensions because I think Members would be informed about both of those matters. There is an important public interest in doing so, being absolutely clear about the domestic arrangements, but also other places too.

The Bailiff:

Does any other Member wish to speak on the proposition for an in-Committee debate?

5.1.1 Deputy R.J. Ward of St. Helier Central:

A couple of things. One is there does need to be some guidance before to structure any in-committee debate, particularly on a topic such as this. I have to say that my personal view on in-committee debates is we all have to remember there is no vote at the end. The main purpose of this Assembly I think is to vote and make decisions. There will not be a decision on this at the end of that in-committee debate; I think everybody needs to recognise that. I think if we are going to have a system of petitions, I have a concern that a petition system makes people believe that by coming up with that petition, at the end they will have an outcome that is tangible. Now one might say that it is a tangible outcome to have a debate on this, but I just say I think the tangible outcome is to vote to make decisions, and that will not be happening in this debate. I just want to put that on public record because that is a view I hold.

Connétable M.K. Jackson of St. Brelade:

Given there may be one or 2 Members in receipt of old-age pensions, what would your ruling be on their participation in this debate?

The Bailiff:

Well, I think the position is that, firstly, no decision will be made at an in-committee debate; therefore, there will be no vote taken. All there will be is an expression of views by Members, so nothing will change as a result of the in-committee debate. Secondly, even if it were otherwise, my instinct is that whereas some Members may directly benefit if there were a vote in a particular direction, it is an interest that will be shared by a very large number of people, probably everyone in the Chamber, at some point, even if not immediate. Some will be rather more distant than others but it is shared by every member of society or a very great extent anyway. Therefore, it seems to me it falls in the same provision that a debate on a tax is likely to fall and there would not be a conflict. That will be my view. I am happy to consider it further as we go but that is my first blush reaction.

5.1.2 Deputy M. Tadier of St. Brelade:

It is quite rare that a petition gets to 5,000. Getting to 1,000 in itself is quite a feat which of course we know requires a Ministerial response and an official response. It is worth noting that we may be overtaken by events anyway, so the comments of Deputy Ward were well made, I thought - Deputy Rob Ward - insofar as that of course there will not be a vote on the debate. If we think about the days before virtual petitions were in existence, there was always and there remains the option of a paper petition which only needed I think indeed one petitioner, but of course they tended to have more. What would often happen is that paper petition would be handed to a States Member often. The

States Member who supported the aim of the proposition would themselves lodge a proposition along with the petition, and there would be a debate with a vote at the end of it on that petition. I have done it myself and have been successful on at least one local issue in doing so by representing the views of the petitioners. I think it is important that as we come up to Democracy Week that that message is perhaps reiterated by the States Greffe, including maybe the Chair of P.P.C., that there are a number of democratic tools that can be used to determine different outcomes, notwithstanding the good old-fashioned paper proposition or indeed finding a sympathetic States Member who would be willing to sponsor such a proposition.

5.1.3 Deputy B. Ward of St. Clement:

It is important and respectful that the wishes of the signatories under the procedures have this openly debated. The number from the electronic survey really only reflects those who are able to access an electronic device, a computer; therefore, the number may well be much larger. For the future, may I ask the Greffier that consideration be given to those Islanders that are in this situation the opportunity to sign a petition in person at, say, their Parish Hall, and that their votes are added to electronic results for all future petitions? To have a full debate on the subject and to hear all Members' views for or against can only be good. This debate is essential to respect the views of Islanders, after all it is the Islanders, especially the older generation, who tend to be the people who turn up to vote in Island elections. Their voices need to be heard.

5.1.4 Deputy K.F. Morel of St. John, St. Lawrence and Trinity:

It was just to say, while I agree that we are here to make decisions, I also believe that those decisions cannot be made well if there is no discussion beforehand. Certainly, one of the really good things about an in-committee debate is it gives the opportunity to just talk about the issue which is something I fear that in my 6 years as an Assembly Member I do not think we do enough of as States Members. I do not think we talk about the issues enough. I would not criticise an in-committee debate because there is no vote, I would say it just creates another form of debate, one which would be probably freer. It would allow all Members to properly express their views which can then be taken into account if either a Member or the Government, a Minister wishes to bring a proposition on that subject forward at a later date. I think there is value in that.

5.1.5 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:

I think Deputy Morel has made some of the points I was going to make which is I think a debate will be useful in the context of garnering Members' views. Any change to tax can be very much more complicated than it appears on paper. Clearly my feeling would be that if we had a debate and the overwhelming view of the Assembly was in favour or against, that would then lead into whether or not someone, Government or otherwise, brought a proposition.

[10:45]

I would strongly suggest that if anybody was going to bring a proposition about this, that would properly sit with the Minister for Treasury and Resources, and the Members would be able to give that message very clearly as part of that debate. Any further amendments would then be prioritised within our existing workflow, so that is my only observation.

5.1.6 Deputy A. Howell:

I would just like to mirror the views of Deputy Morel because I think it is important that we do discuss things in this Chamber. My family say: "Why can you not all get together? Why can you not have a proper talk? That is what you are there for."

The Bailiff:

Yes, I make the observation I automatically said “yes” without giving it a moment’s thought because Deputy Jeune was excuse. If you are excuse you are not on défaut, the défaut does not need to be raised, you get here when you get here; so just to inform Members for future reference.

5.1.7 Deputy M.R. Scott of St. Brelade:

I just support what Deputy Morel was saying. I just wanted to add something also in response to Deputy Rob Ward’s position, that if you have a vote that is in response to a proposition, if a proposition is defeated, then it is another 3 months before you can take a proposition on the same subject, in which case, it is testing the water all the time and having these delays. That is really the value of an in-committee debate: the water can be tested, a proposition formulated in response; I therefore support that proposition.

5.1.8 Deputy P.M. Bailhache of St. Clement:

I must say I incline to the views of Deputy Ward and Deputy Tadier because it seems to me that the petitioners who have signed this petition expect a decision from the States. If we have an in-committee debate there is, by definition, no decision. I agree with Deputy Morel that it should be an informed debate, but it seems to me that the best way to achieve that end is to encourage the petitioners to find a Member of the Assembly who can put forward a proposition seeking the introduction of this change. That Member would then presumably add a report to the proposition, which would enhance the short reasons set out in the petition, and the appropriate Ministry would have an opportunity to lodge a report setting out its view on the proposal. Then we have all the written information before the Assembly, we can have a proper debate and make a decision.

The Bailiff:

Does any other Member wish to speak on the proposition to hold an in-Committee debate? If no other Member wishes to speak, then I close that debate and call upon the Chair of P.P.C. to respond.

5.1.9 The Connétable of St. Martin:

I thank all the Members who have made their opinions clear with this. I would just like to say that as Chair of P.P.C. it is my duty but not within my gift to force a vote on this. I think it is fair and democratic to the petitioners, over 5,000 petitioners, to bring this forward. The only way I can do that is to propose an in-committee debate, otherwise we could just completely ignore them. No States Member, as far as I am aware, has decided that they will bring this as a proposition, so I think it is beholden to us. It is not ideal having an in-committee debate but this is the fairest way of airing this. I take Deputy Barbara Ward’s points about having petitions at Parish and public halls and I will take that to the next committee to Connétables. Members can bring a proposition if they would like to. I would also like to reassure Deputy Ozouf that I have discussed this with the Minister for Treasury and Resources and the Greffe and that guidance will be given before the debate, which is why the debate has been scheduled for 12th November. I thank Deputy Morel and other Members and I make the proposition.

The Bailiff:

Those in favour of an in-Committee debate, kindly show. Those against? Well, definitely it is passed on a show so, yes, there will be an in-committee debate. The rest of Public Business, Chair?

5.2 The Connétable of St. Martin:

I thank everybody for agreeing to the in-committee debate. At the moment we have 6 items listed for the next sitting on 1st October: Delivery of 3 bilingual primary schools, P.45/2024, Nationality Acts: Extension to Jersey, P.55/2024, Social Security Medical Appeal Tribunal, P.57/2024, Income Support Medical Appeal Tribunal, P.58/2024, Westway Trust: Transfer of Assets to Le Don de Faye Trust, P.60/2024, Capital Gains Tax on the sale of residential property that is not a main residence, P.61/2024. I propose the arrangement of public business.

The Bailiff:

Are they seconded? [**Seconded**] Deputy Ozouf, do you wish to speak on the arrangement of public business?

5.2.1 Deputy P.F.C. Ozouf:

I am aware that we are just dealing with the arrangements of public business for the next sitting and one does not set any arrangements for future business. Bearing in mind the previous discussion, I wonder if I could ask that the Chair of P.P.C. give consideration, now the Assembly has agreed for the proposition for the in-committee debate, of the lodging of the Budget and the necessary arrangements that could be taken for that, which is scheduled for 26th November. I am not proposing that they change it, but maybe she would give consideration to bringing forward the in-committee debate in order to allow an amendment should it be necessary to the Budget which will not be able to be done if the in-committee debate is held on 12th November. There is no real time to do this, I will take this offline, but just so that there is an awareness. We are only setting business for the next sitting.

The Bailiff:

I think you have made the point, Deputy. I think that is for the Chair of P.P.C. to consider together with you outside the context of a formal sitting. Does any other Member wish to speak on public business? Very well, the arrangements for public business are adopted. The Assembly, having concluded its business, stands adjourned until 9.30 a.m. on 1st October.

ADJOURNMENT

[10:53]